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BEFORE THE ARIZONA CORPORATIO

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 2
 3 IN THE MATTER OF THE APPLICATION)
 4 OF DIECA COMMUNICATIONS DBA COVAD)
 5 COMMUNICATIONS COMPANY, ESCHELON) DOCKET NOS.
 6 TELECOM OF ARIZONA, INC., MCLEODUSA) T-03632A-06-0091
 7 TELECOMMUNICATIONS SERVICES, INC.,) T-03267A-06-0091
 8 MOUNTAIN TELECOMMUNICATIONS, INC.,) T-04302A-06-0091
 9 XO COMMUNICATIONS SERVICES, INC. AND) T-03406A-06-0091
 10 QWEST CORPORATION'S REQUEST FOR) T-03432A-06-0091
 11 COMMISSION PROCESS TO ADDRESS KEY) T-01051B-06-0091
 12 UNE ISSUES ARISING FROM TRIENNIAL)
 13 REVIEW REMAND ORDER, INCLUDING)
 14 APPROVAL OF QWEST WIRE CENTER LISTS.) PROCEDURAL
 15) CONFERENCE

At: Tucson, Arizona

Date: December 11, 2008

Filed:

DEC 31 2008

Arizona Corporation Commission

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, 400 West Congress Street,
4 Room 218, Tucson, Arizona, commencing at 10:39 a.m. on the
5 11th of December, 2008.

6 BEFORE: JANE L. RODDA, Administrative Law Judge
7

8 APPEARANCES:

9 For the Arizona Corporation Commission:
10

11 MS. MAUREEN SCOTT
12 Staff Attorney, Legal Division
13 1200 West Washington Street
14 Phoenix, Arizona 85007-2927
15 (Appeared telephonically)

16 For the Joint CLECs:

17 ROSHKA, DEWULF & PATTEN, P.L.C.
18 By: Mr. Michael W. Patten
19 One Arizona Center
20 400 East Van Buren, Suite 800
21 Phoenix, Arizona 85004
22 (Appeared telephonically)

23 For Qwest Corporation:

24 QWEST CORPORATION
25 By: Mr. Norman G. Curtright
20 East Thomas Road, Suite 1600
Phoenix, Arizona 85012
(Appeared telephonically)

JODY L. LENSCHOW, RMR, CRR
Certified Reporter
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(Appeared telephonically)

1 ALJ RODDA: Let's go on the record. This is the
2 time set for the procedural conference in Docket
3 No. T-03632A-06-0091, et al., which is Phase II of the
4 Qwest non-impaired wire center application.

5 Good morning, everyone, and welcome to the
6 Arizona Corporation Commission. My name is Jane Rodda,
7 and I'm the administrative law judge assigned to this
8 matter. The first thing I'm going to do this morning is
9 to take appearances, and so I'm going to start with Qwest.

10 MR. CURTRIGHT: Good morning, everyone. This is
11 Norman Curtright for Qwest Corporation.

12 ALJ RODDA: And on behalf of the joint CLECs?

13 MR. PATTEN: Michael Patten, Roshka, DeWulf &
14 Patten, on behalf of the joint CLECs, and we have
15 representatives from most of them on the phone as well.

16 ALJ RODDA: Do any of those individual CLECs
17 want to make appearances, or just listening in?

18 (No response.)

19 ALJ RODDA: I'll take that lack of response as
20 you're just monitoring.

21 So on behalf of Commission Staff?

22 MS. SCOTT: Maureen Scott on behalf of
23 Commission Staff.

24 ALJ RODDA: All right. Well, welcome,
25 everybody. All right, so the purpose of this procedural

1 conference is to determine how to proceed in this matter.
2 Yesterday I received a filing from the joint CLECs that
3 have withdrawn their objection to the Super West wire
4 center that was part of the 2007 additions application.

5 So I'll ask you, Mr. Patten, is it my
6 understanding now that we don't have any outstanding
7 objections to any of the designations, at least from the
8 joint CLECs?

9 MR. PATTEN: That's correct, Your Honor.

10 ALJ RODDA: Okay. And, Maureen, I think that
11 the last report I saw from Staff was that Staff was still
12 in the process of reviewing the designations and obtaining
13 additional information from the CLECs.

14 Have you had a chance to complete that, or where
15 is Staff on this process?

16 MS. SCOTT: I think that we're still in that
17 process. However, I talked to Staff this morning, and
18 since the CLECs have withdrawn all of their objections,
19 Staff doesn't feel a need anymore to proceed in doing any
20 additional verification work.

21 ALJ RODDA: All right. So then what do we need
22 to do now to complete this phase? Do you have a
23 recommendation, Maureen or Norm?

24 MR. CURTRIGHT: This is Norm Curtright, Your
25 Honor, and thank you to the joint CLECs for getting that

1 objection removal in yesterday. That was very helpful to
2 move this along today.

3 Our understanding then is that no parties or
4 Staff have any objections, and I guess we would submit
5 then that the next step would be for the Commission to
6 enter an order approving the addition of these wire
7 centers to the list of non-impaired wire centers. I
8 believe that the decision to approve the settlement
9 agreement and that was recognized in Your Honor's last
10 procedural order in this matter recognizes that that can
11 be done without hearing, and so I would be -- Qwest
12 requests that that would be the process that would follow
13 next.

14 ALJ RODDA: Okay. Does anyone have any
15 objection to that process?

16 Basically, I guess that would entail me drafting
17 a recommended order that would come before the Commission
18 at the next or the one after that open meeting.

19 MS. SCOTT: Staff has no objection to that.

20 MR. PATTEN: The joint CLECs also have no
21 objection.

22 ALJ RODDA: Is there anything that any of the
23 parties need to see as part of that order? Is there
24 anything I need to include to set up for the next phase,
25 or can I basically use the last order as sort of a

1 template? You know what I mean? I mean in terms of I
2 think we've got the protective order in place. Is there
3 anything else that you would find helpful for future
4 proceedings?

5 MR. CURTRIGHT: Your Honor, Norm Curtright.
6 Nothing comes to mind now. I think how we got this one
7 set up in these phases will serve us well in the future,
8 so nothing occurs to me that we need to request
9 specifically be done other than just the approval.

10 ALJ RODDA: Okay. All right. Does anyone else
11 have anything they want to add that they think I might
12 find helpful?

13 MS. SCOTT: Staff doesn't at this point.

14 MR. PATTEN: Joint CLECs don't either, Your
15 Honor.

16 ALJ RODDA: All right. Well, then what I will
17 do is, I will prepare a recommended order for the
18 disposition of the Commission at a forthcoming open
19 meeting. I can't promise which one it will be, but as
20 soon as I can. Okay?

21 MR. CURTRIGHT: Thank you, Your Honor.

22 ALJ RODDA: All right.

23 MR. PATTEN: Thank you.

24 ALJ RODDA: Well, thank you, all, for working
25 that out, and I hope that the process worked well for you.

1 MR. CURTRIGHT: I think it did.

2 ALJ RODDA: All right, good. All right, well,
3 then if I don't see you all, I hope you have happy
4 holidays and a good New Year, and I'll see you in January.

5 (The procedural conference concluded at
6 10:49 a.m.)

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1 STATE OF ARIZONA)
2) ss.
3 COUNTY OF MARICOPA)
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JODY L. LENSCHOW, RMR, CRR
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